

## REMARKS

Claim 1 calls for forming a heater in the pore with a sidewall spacer. In other words, the heater must be formed in a pore that is already lined by a sidewall spacer. One benefit of this sequence of steps is that when the upper portion of a heater is removed to form the gap, a relatively small amount of the heater may be removed to create a heater of a given height. For example, a heater with lateral dimensions smaller than the sublithographic dimension may be achieved by virtue of the sidewall spacers (see new claim 32). Then that smaller upper heater portion may be more readily removed to form a gap.

Harshfield '720 explicitly teaches away from such a procedure. Harshfield teaches forming the sidewall spacers after you have already removed the portion of the heater 61. Obviously, Harshfield did not realize the benefit of the claimed sequence.

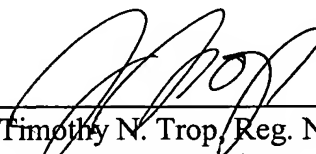
While Chiang does teach putting sidewall spacers in before forming a heater 30, he does not suggest doing the spacers first in a situation where you are going to remove a portion of the already formed heater. Thus, the benefit of forming the sidewall spacers to facilitate the removal of a portion of the heater is not taught in either Chiang or Harshfield. The same can be said of Hudgens.

Support for the new claims may be found in the specification at page 8, lines 7-11.

Therefore, in view of these remarks, the application should now be in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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